



**CITY OF SUNNYVALE
ADMINISTRATIVE HEARING**

ATTACHMENT 6
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**MINUTES
Wednesday, May 11, 2005**

2004-0963 – Application for a Variance from Sunnyvale Municipal Code (SMC) section 19.34.030 to allow a 17-foot front yard second-story setback where 25 feet is required and SMC section 19.56.020 to allow shading of a nearby structure that exceeds 10 percent. Approval of the variance would allow a first and second-story addition to a one-story home resulting in a total of 1,737 square feet. The property is located at **321 Flora Vista Avenue** in an R-2 (Low-Medium Density Residential) Zoning District. (APN: 209-24-062)

In attendance: Greg Maltz, Owner/Applicant; Giddes Ulinskas, Architect; Trudi Ryan, Administrative Hearing Officer; Kelly Diekmann, Project Planner; Luis Uribe, Support Staff.

Trudi Ryan, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Ryan announced the subject application.

Kelly Diekmann, Project Planner, stated that the applicant has proposed a second-story addition that has minimum second story front yard setback of 17.5 feet where 25 feet is required. The justification for the variance to the front yard setback includes consideration of preserving the existing heritage resource home, appropriate proportions and design elements relating to the existing home for compatible design. The home is listed as a Sunnyvale Heritage Resource.

Ms. Ryan clarified that from a design review stand point, staff has recommended some further consideration on design regarding the rear of the property not to eliminate the stairs but to address them.

Ms. Ryan opened the public hearing.

Greg Maltz, Owner/Applicant, confirmed he had received and reviewed the staff report. He stated that he tried to keep as much of the original structure of the home as possible since it is listed as a Heritage Resource for Sunnyvale. The applicant also mentioned that a letter was submitted by a neighbor in support of the project that would be shaded by the structure. He also agreed to modify his plans based on staff recommendations and is already looking at other alternatives for design of the rear patio/stairway.

Giddeo Ulinskas, Architect, stated that they considered other options such as placing the garage further back on the property, but by doing so it would require them to add more square footage to make the garage accessible. For example, a hallway would need to be constructed to access the garage.

Kelly Diekmann mentioned that no other neighbors have contacted him regarding this project.

Ms. Ryan verified that to retain the original heritage home and not make too many changes, the current location was the most logical place to put the entry to the garage.


Ms. Ryan closed the public hearing.

Ms. Ryan approved the variance subject to a condition that the variance is granted for the current design only. She emphasized that the variances were justified or they preserved the Heritage Resource and that other Heritage Resources could be evaluated for their unique situation. She also approved the design review with the findings and conditions recommended by staff with the following modifications, noting that the design review will run concurrently with the variance so it will be good for 2 years. Condition number 5 is subject to approval by the Director of the Community Development Department.

Ms. Ryan stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.

The meeting was adjourned at 2:20 p.m.

Minutes approved by: *For*



Trudi Ryan, Planning Officer